

Moran (VA)	Redmond	Stenholm
Morella	Regula	Sununu
Murtha	Reyes	Talent
Myrick	Riggs	Tanner
Nethercutt	Rogan	Tauzin
Ney	Rogers	Taylor (NC)
Northup	Ros-Lehtinen	Thomas
Nussle	Saxton	Thornberry
Ortiz	Schaefer, Dan	Thune
Oxley	Sessions	Tiahrt
Packard	Shadegg	Trafficant
Pallone	Shaw	Upton
Pappas	Sherman	Visclosky
Parker	Shimkus	Walsh
Pastor	Shuster	Wamp
Paxon	Sisisky	Watkins
Pease	Skaggs	Watts (OK)
Peterson (PA)	Skeen	Waxman
Petri	Skelton	Weldon (FL)
Pickering	Smith (MI)	Weller
Pitts	Smith (NJ)	White
Porter	Smith (OR)	Whitfield
Portman	Smith (TX)	Wicker
Price (NC)	Snowbarger	Wise
Pryce (OH)	Solomon	Wolf
Quinn	Souder	Young (AK)
Rahall	Spence	
Ramstad	Stearns	

NAYS—199

Ackerman	Gejdenson	Neumann
Allen	Gephardt	Norwood
Andrews	Gibbons	Oberstar
Bachus	Gordon	Obey
Barcia	Graham	Olver
Bartlett	Green	Owens
Becerra	Harman	Pascarell
Bentsen	Hastings (FL)	Paul
Berry	Hefley	Payne
Bishop	Hill	Pelosi
Blagojevich	Hilleary	Peterson (MN)
Blumenauer	Hilliard	Pickett
Blunt	Hinchey	Pombo
Bonior	Hinojosa	Pomeroy
Boswell	Hooley	Poshard
Boyd	Hottettler	Radanovich
Brown (FL)	Istook	Rangel
Brown (OH)	Jackson (IL)	Riley
Burr	Jackson-Lee	Rivers
Burton	(TX)	Rodriguez
Campbell	Jefferson	Roemer
Capps	John	Rohrabacher
Cardin	Johnson, E. B.	Rothman
Carson	Johnson, Sam	Roybal-Allard
Chabot	Jones	Royce
Chenoweth	Kaptur	Rush
Clay	Kennedy (MA)	Ryun
Clayton	Kennedy (RI)	Sabo
Clement	Kennelly	Salmon
Clyburn	Kildee	Sanchez
Coburn	Kilpatrick	Sanders
Combest	Klecicka	Sandlin
Conyers	Kucinich	Sanford
Costello	LaFalce	Sawyer
Cox	Lampson	Scarborough
Coyne	Lantos	Schaffer, Bob
Crane	Largent	Scott
Crapo	Levin	Sensenbrenner
Cummings	Lewis (GA)	Serrano
Davis (FL)	Lipinski	Shays
Davis (IL)	Lowey	Slaughter
DeFazio	Lucas	Smith, Adam
DeGette	Maloney (CT)	Smith, Linda
Delahunt	Maloney (NY)	Snyder
DeLauro	Manton	Spratt
Dellums	Manzullo	Stabenow
Deutsch	Markey	Stark
Dingell	Martinez	Stokes
Doggett	Mascara	Strickland
Dooley	McCarthy (NY)	Stump
Doolittle	McGovern	Stupak
Duncan	McInnis	Tauscher
Edwards	McIntosh	Taylor (MS)
Ehrlich	McIntyre	Thompson
Engel	McKinney	Thurman
Ensign	McNulty	Tierney
Etheridge	Meehan	Torres
Evans	Meek	Towns
Fattah	Menendez	Turner
Fazio	Millender-	Velazquez
Filner	McDonald	Vento
Flake	Minge	Waters
Foglietta	Mink	Watt (NC)
Ford	Moakley	Wexler
Frank (MA)	Moran (KS)	Weygand
Frost	Nadler	Woolsey
Furse	Neal	Wynn

NOT VOTING—7

Gonzalez	Schiff	Young (FL)
McDermott	Schumer	
Roukema	Yates	

□ 2050

Messrs. COX of California, OWENS, ENGEL, GIBBONS, and RILEY changed their vote from "aye" to "no."

Mr. HERGER changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1171

Mr. KASICH. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Pennsylvania [Mr. MASCARA] be removed as cosponsor of H.R. 1171. He was added in error.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 244, SUBPOENA ENFORCEMENT IN CASE OF DORNAN V. SANCHEZ

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 253 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 253

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 244) demanding that the Office of the United States Attorney for the Central District of California file criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena under the Federal Contested Elections Act. The resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the resolution and the preamble to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on House Oversight; and (2) one motion to recommit which may not contain instructions and on which the previous question shall be considered as ordered.

The SPEAKER pro tempore [Mr. GILLMOR]. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York [Ms. SLAUGHTER], pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, this resolution is a rule which provides for consideration of House Resolution 244. It is a resolution relating to subpoena enforcement in the case of Dornan v. Sanchez. The rule

provides for 1 hour of debate, divided equally between the chairman and ranking minority member of the Committee on House Oversight. The rule also waives points of order against consideration of this resolution.

Finally, the rule provides for one motion to recommit.

Mr. Speaker, the resolution this rule brings to the floor today is an attempt to express the will of this House relating to the proper enforcement of a subpoena issued under the Federal Contested Elections Act.

The House will be asserting, by voting on this resolution, that ignoring a valid subpoena issued under this act is an affront to the dignity of the House of Representatives and to the integrity of its proceedings.

We will hear from Members of the House on the Committee on House Oversight to explain the facts of the case during the debate on this resolution. But it is important to consider the relevant statutes in question at the onset of this debate, and I would like to take a minute just to make sure that we all understand those statutes.

As the debate on this resolution unfolds, which is likely to be acrimonious, at best, I would ask Members to keep in mind these important provisions of law: Members should also be aware of their constitutional responsibilities as they consider this very, very difficult issue.

First, Article I, Section 5 of the Constitution states that each House, that means the House and the Senate, shall be the judge of its own elections, of its own returns, and qualifications of its own Members. That is Article I, Section 5 of the Constitution of the United States. This provides the groundwork for the House to judge contested elections involving its seats, a responsibility the House has practiced since the early Congresses, 200 years ago.

Also, the Federal Contested Elections Act, enacted in 1969, sets forth the procedures for candidates to contest an election in this House of Representatives. The act provides for filing a Notice of Contest with the Clerk of the House, among other congressional procedures. Furthermore, the act sets forth procedures for subpoena for depositions.

The Contested Elections Act is also very specific in "allowing subpoenas to be issued by any party in the elected contest." That is a quote. We heard considerable testimony on that subject in the Committee on Rules for several hours last night.

As the Members are well aware, there is a contested election pending in the 46th district in California. On March 17, 1997, and this is important for the Members to understand, the United States District Court issued a subpoena under the Contested Elections Act for the deposition and records of Hermandad Mexicana Nacional. The Committee on House Oversight voted to modify the subpoena and require compliance by a date certain, that date